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Attorneys for
EGGLI LANDSCAPE CONTRACTORS, INC.,
a California Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, for the
use and benefit of WEBCOR
CONSTRUCTION, INC., dba WEBCOR
BUILDERS, and WEBCOR
CONSTRUCTION, INC. dba WEBCOR
BUILDERS,

Plaintiff,

v.

DICK/MORGANTI, a joint venture; DICK
CORPORATION; THE MORGANTI
GROUP; AMERICAN CASUALTY
COMPANY OF READING, PA;
NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA and
DOES 1 through 10, inclusive,

Defendants.

Case No. 3:07-CV-02564-CRB

**ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES
SHOULD BE RELATED
[Civil L.R. 3-12]**

Hearing Date: n/a

Hearing Time: n/a

Location: Courtroom 8 (19th floor)

Judge: Hon. Charles R. Breyer

To the Honorable Charles R. Breyer:

EGGLI LANDSCAPE CONTRACTORS, INC., plaintiff and “use plaintiff” in Case No.
CV-07-5699-JCS filed November 8, 2007, hereby moves the Court to consider whether,
pursuant to Civil Local Rule 3-12, said case is related to the above-entitled case and to the
following other cases:

1 *United States of America for the Use and Benefit of Performance Contracting, Inc., a*
2 *Kansas Corporation, vs. Dick/Morganti, a California Joint Venture, et al.*; Case No. C-07-
3 4180-EDL;

4 *United States for the Use and Benefit of Berger Bros., Inc. vs. Dick/Morganti, a*
5 *California Joint Venture, et al.* Case No. C-07-05108-JSW.

6 Based upon review of the dockets and certain pleadings in the matters referenced above,
7 Eggli and its counsel believe that the Eggli action involves substantially the same parties and
8 arises from the same principal transaction or events; that is, the construction of the San
9 Francisco Federal office building pursuant to United States Government Contract No. GS-09P-
10 02-ATC-0002.

11 This motion is based on the accompanying declaration of John H. Blake and the content
12 of the Court's files on the cases referenced above.

13 Dated: November 13, 2007

HANNIG LAW FIRM LLP

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16 By /s/
17 JOHN H. BLAKE, Attorneys for
18 EGGLI LANDSCAPE, INC.
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